

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 10, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Palmer presiding.

Roll call:

Present: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Absent: Mayor Miller

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. ROBERT E. ROWE, Ebenezer Baptist Church.

Councilman White moved that the Minutes of the Meeting of November 3, 1960, be approved as corrected. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCORDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOT 7, WILLIAM THIELE SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (2) LOT 65, LESS THE NORTH 50 FEET, ENFIELD "A", FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; (3) A THROUGH TRACT OF LAND FRONTING APPROXIMATELY 154 FEET ON THE NORTH RIGHT-OF-WAY LINE OF MANOR ROAD, AND FRONTING APPROXIMATELY 198 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF ANCHOR LANE, LOCALLY KNOWN AS 3220-3222 MANOR ROAD AND 2019-2109 ANCHOR LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (4) PARCELS 1 AND 2, TRACT B, MRS. CLOTILDE IDA MANSBENDEL SUBDIVISION, LOCALLY KNOWN AS 701-705 WEST 38TH STREET AND 3510-3718

KING STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (5) AN INTERIOR TRACT OF LAND HAVING DIMENSIONS OF 6 FEET BY 50 FEET AND CONTAINING AN AREA OF 300 SQUARE FEET, LOCALLY KNOWN AS 5407 INTERREGIONAL HIGHWAY, FROM SIXTH HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT; (6) A TRACT OF LAND FRONTING APPROXIMATELY 468 FEET ON THE NORTH RIGHT-OF-WAY LINE OF OAK SPRINGS DRIVE, LOCALLY KNOWN AS 2900-3000 OAK SPRINGS DRIVE, FROM "A" RESIDENCE DISTRICT AND "LR" LOCAL RETAIL DISTRICT TO "C" COMMERCIAL DISTRICT; (7) AN INTERIOR TRACT OF LAND CONTAINING 3700 SQUARE FEET OF LAND, LOCALLY KNOWN AS THE REAR OF 3701 HARMON AVENUE, FROM "A" RESIDENCE DISTRICT AND FIRST AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; AND (8) A TRACT OF LAND FRONTING 439 FEET ON THE NORTH RIGHT-OF-WAY LINE OF OAK SPRINGS DRIVE, LOCALLY KNOWN AS 3002-3106 OAK SPRINGS DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Mayor Pro-tem Palmer announced that decision on the H. C. RISCH zoning application at 427-531 Ben White Boulevard and 4001-03 South 1st Street, from "A" Residence to "GR" General Retail had been postponed until next week at the applicant's request, as the Attorney was out of the City.

Mayor Pro-tem Palmer brought up the following zoning applications deferred from last week:

C. B. HAHN &
CORA HAHN

1012 East 38 $\frac{1}{2}$ Street
3808-10 Harmon Avenue

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Councilman White moved that the change be granted to "O" Office. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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RICHARD L. HOUGH

2109-2201 West Anderson
Lane

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission

Councilman Bechtol moved that MR. RICHARD L. HOUGH be given an opportunity to withdraw this zoning application as it is apparent it will fail to be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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Mayor Pro-tem Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 38 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

The City Manager submitted the following:

"November 8, 1960

"Mr. W. T. Williams, Jr., City Manager

Regulator Bids

"Bids were opened 10:00 a.m. November 2, 1960 by the Purchasing Agent and referred to the Electrical Dept. for recommendation for three (3) 167 KVA single phase distribution type regulators. These bids are tabulated below.

<u>"BIDDER</u>	<u>UNIT PRICE</u>	<u>DELIVERY</u>
Westinghouse	\$3,047.00	Factory Stock
General Electric	4,033.00	Dallas Stock
Graybar Electric	4,033.00	Dallas Stock
Line Material	3,485.00	Factory Stock
Allis-Chalmers	3,344.00	Stock

"All Bidders Quoted FOB Austin and net 30 days.

"I recommend that we accept the low bid of Westinghouse Electric Co. for three (3) 167 KVA. Single phase distribution for total price of \$9,141.

"D. C. Kinney, Director Electrical Utility

"APPROVED:

W. T. Williams, Jr., City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 2, 1960 for the furnishing of three (3) 167 KVA single phase distribution type regulators; and

WHEREAS, the unit price of Westinghouse Electric Co. in the sum of \$3,047.00 per unit was the lowest and best bid therefor; and the acceptance of such unit price bid has been recommended by the Director Electrical Utility and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the unit price bid of Westinghouse Electric Co. in the sum of \$3,047.00 per unit be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to enter into a contract with Westinghouse Electric Co. for the purchase of three (3) 167 KVA single phase distribution type regulators for total amount of \$9,141.00.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

WHEREAS, bids were received by the City of Austin on November 2, 1960, for the purchase of three Heavy Duty Backhoe - front end loader and tractor

combination; and,

WHEREAS, the bid of Tom Fairey Company in the sum of \$16,271.08 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Tom Fairey Company in the sum of \$16,271.08 be, and the same is hereby accepted and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Tom Fairey Company.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The City Manager submitted the following:

"November 8, 1960

"W. T. Williams, Jr., City Manager

Assessment Paving Contract Number
60-A-33

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, November 8, 1960 for the construction of approximately forty blocks of pavement and accessories known as Assessment Paving Contract Number 60-A-33 consisting of 19 units.

"McKown & Sons	\$37,716.87
Giesen & Latson Construction Co.	90,663.50
J. W. Steelman, Inc.	91,350.12
Lee Maners	97,751.65
R. B. Bowden Construction Co.	99,956.31
Ed H. Page	112,582.60

"City's Estimate	\$96,922.17
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"I recommend that McKown & Sons with their low bid of \$37,716.87 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 8, 1960 for the construction of approximately forty blocks of pavement and accessories known as Assessment Paving Contract Number 60-A-33 consisting of 19 units; and,

WHEREAS, the bid of McKown & Sons in the sum of \$37,716.87 was the lowest and best bid therefor, and the acceptance of such bid has been

recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of McKown & Sons in the sum of \$37,716.87, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with McKown & Sons.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Council had before it consideration of a proposed Ordinance regulating temporary use of streets during construction or repairs, and discussed in detail the effective date of fees, the requirement for furnishing insurance with \$100/300,000 limits, and \$10,000 Property Damage, the furnishing of a \$5,000 bond, and the general regulations. It was decided that the Ordinance become effective on December 1, 1960. Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith," WHICH ORDINANCE WAS ENACTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON APRIL 30, 1931, AND IS OF RECORD IN BOOK "I", PAGES 387-544 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; BY AMENDING CHAPTER 44 OF SAID ORDINANCE PERTAINING TO TEMPORARY USE OF STREETS DURING CONSTRUCTION OR REPAIRS; PROVIDING FOR PERMITS, INDEMNITY BOND, LIABILITY INSURANCE, AND PERMIT FEES, PRESCRIBING OFFICIAL DUTIES OF BUILDING INSPECTOR; PROVIDING FOR APPEALS TO THE CITY COUNCIL; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Councilman Bechtol stated it should be the policy of the City to require liability insurance certificates to be furnished by any one who gets a permit from the City or does any construction work for the City in standard limits of \$100/300,000 limits and \$10,000 Property Damage.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilmen Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Franks and Hobbs is the Contractor for the demolition of three buildings located at 401-411 Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 1, 2, and 3, Block 42 of the Original City of Austin, Travis County, Texas, during the demolition of the buildings, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Franks and Hobbs, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point which is the northwest corner of the above described property; thence in a westerly direction and at right angles with the center line of Congress Avenue to a point 12 feet west of the east curb line; thence in a southerly direction and parallel with the center line of Congress Avenue 138 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue to a point which is the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of East 4th Street to a point 12 feet south of the north curb line; thence in an easterly direction and parallel with the center line of East 4th Street 160 feet to a point; thence in a northerly direction and at right angles to the center line of East 4th Street to a point which is the southeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue Alley 5 feet to a point; thence in a northerly direction and parallel with the center line of Congress Avenue Alley 138 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue Alley 5 feet to a point which is the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Franks and Hobbs, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than February 15, 1961.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The City Manager called attention to the two progress reports on public improvements--"Status of Water and Sanitary Sewer Contract Projects as of November 1, 1960", and "Monthly Progress Report on Electrical Utility".

The City Manager reviewed a transaction with MR. OSWALD WOLF, in acquiring right-of-way on the west side of East Avenue between First Street and the river, stating that in this case, instead of acquiring a part of the tract, the city acquired all of it, which was two lots. He said another transaction involved Mrs. Hamilton. He explained a contract which would give these two property owners the right to repurchase the part that was not in use. Mr. Wolf would like to repurchase the part not now being used as right-of-way for the Interregional Highway. He said the Legal Department had pointed out that the contract with Mr. Wolf provided if the City did not need the property, he could repurchase it. The City Manager said that although the property did not lie within the right-of-way the City did have another use for it. Mr. Wolf's first letter came in on October, 1958, accompanied by a check for \$400.00, and now he has made another inquiry. The City Attorney read the contract. After discussion of the needs of this property, Councilman Perry moved that Mr. Wolf be informed that the City definitely has a need for the property, and that his check be returned. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The City Manager made a report on a matter at a meeting of the Hospital Advisory Board a month or two ago, concerning the recommendation that had been

made by Mr. Steinle that a study be made of the health needs of the community, and that the Board had recommended to the Council, as one of its recommendations, that a committee be appointed. The Council had approved in general the recommendation, but it was his interpretation that the Council might want to say something about the appointment of the Committee. He listed the Committee that had been appointed by the Board, and the groups each represented, and stated this committee met and reviewed the questions that it wanted to consider. Mayor Pro-tem Palmer stated he was of the opinion that the Council did instruct the Board to select the committee. Councilman Bechtol said he did not want this study to be known as a Brackenridge Hospital study. Councilman White stated he wanted to know about the Committee. The City Manager stated there were some reports submitted to the Committee for its background study. Mayor Pro-tem Palmer asked that these reports be kept; and the Council will ask for copies when needed.

The Director of Public Works submitted a request from the Highway Department concerning its widening Manchaca Road from FM 1626 up to .8 of a mile south of Ben White Boulevard; and that the work would stop about 1000' south of Williamson Creek at Southern Oaks Subdivision. The County Commission had accepted the agreement a little over a week ago. The City Manager stated this would be designated as a farm to market road, and the State will take over the maintenance from Fair Oaks Drive down to Manchaca, but not the part up to Ben White Boulevard. After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the State Highway Commission by Minute Order No. 48444 dated September 27, 1960 designated a Farm-to-Market Road extending from Manchaca, northeast to a point .8 mile south of Loop 293 and authorized construction thereon subject to acceptance by Travis County and by the City of Austin each agreeing to furnish within its respective area all required right-of-way clear of obstruction; and

WHEREAS, designation and construction of the Farm-to-Market Road as described above is considered to be a worthy and desirable improvement.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

that this tender of a Farm-to-Market Road designation by the State Highway Commission and the responsibility for the furnishing all required right-Of-way clear of obstructions within its corporate limits be and are hereby accepted; that the State Highway Department be and is hereby authorized to proceed with the construction and subsequent maintenance of the above project within the corporate limits of said City; and that the Mayor, or proper City Official, of the City be and is hereby authorized to execute for and in behalf of the City, a standard maintenance agreement with the State Highway Department to establish the respective maintenance responsibilities of each party.

The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Assistant City Manager submitted an inquiry as to the time the Cowboys could start accumulating for the bonfire just before the Texas-A & M game. The Council agreed that it would be all right to start Saturday the 19th.

The City Manager submitted a request from the abutting property owner to the property at 4906 East Avenue. He stated an appraisal had been made. After discussion, Councilman White moved that the property be sold to the abutting property owner, DR. J. R. SENTER, for \$13,000. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

Councilman White made inquiry about the amendment to the Zoning Ordinance regarding permitting beauty parlors under special permits in residential areas. He stated he had recent inquiries, one being the applicant for a zoning change on East Live Oak. Mayor Pro-tem Palmer asked that Councilman White write this applicant a letter stating that the Council is going through the process of amending the Ordinance and that it will take about four weeks; and that the Council has indicated it would be favorable to this.

The Council asked the City Manager to contact MR. WINTON JACKSON and arrange a meeting with him Tuesday, November 15th, at 10:00 A.M., to discuss with him and hear his report on his visit with Moodys Investments.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M., the Council resumed its business.

JUDGE BEN ROBERTSON appeared before the Council appealing the Board of Equalization decision on the value of his property on Congress Avenue, stating that taxes were being paid on values fixed by the Board three years ago, at which time the property was worth 25-30% more than it is now. He stated the law provided that property be assessed on full market value on the first of January of each year, but the value is based on 75% of the market value. He said that the Congress Avenue property was assessed too high in relationship to other properties, and asked that it be reduced. He pointed out that his property at 416 Congress Avenue was assessed at \$3,111 per front foot, while an actual sale across the street was made at \$1,304 a front foot. Another sale (Massey's) on the corner sold at \$1,500 per front foot, and another sale across from the Sutor Hotel for \$40,000 for a 46' lot. His property at 905 Congress Avenue was valued at \$3,000 a front foot. He stated he had to reduce rents on every piece of property on Congress Avenue and listed the amounts of the reductions. He did not appeal the value of the properties on West Lynn, East 6th Street, or those in the school district--just those on the Avenue. The Tax Assessor explained the procedures used in evaluating properties. He said that it would be necessary to get the very kind of data given today--income data--to get a true picture; and if this data could be obtained, a thorough study of the Avenue values could be made.

The City Manager made an explanation concerning arriving at the value of a piece of property, and listed a number of elements of criteria that should be taken into account in determining what the fair market value of a piece of property is. Listed and discussed were sales data and close comparisons; analyses of sales to see if they were the kind that would indicate value; replacement costs of buildings, income approach--future income expected rather than past income; facts and evidence of increased or decreased value; and determination as to whether a temporary decline in values would be a continued situation. He stated as facts are presented and evidence appears that values have increased in community centers, they should be increased to the point that the evidence shows. If evidence presented that values in down town areas might be falling off, that should be recognized.

The Council had before it the tax appeal of A. C. BRYANT. Councilman Bechtol moved that the land values be set as follows:

Exposition Blvd., Parts of Lots 34, 35, and all of 36, Block 4,
Herman Brown Addition, (Parcel No. 1-1905-0301)

	<u>Full Value</u>	
Land	\$ 9,711	(From \$10,791)

2705-2733 Exposition Blvd., Lots 37 through 44, less 655 square feet,
Block 4, Herman Brown Addition (Parcel No. 1-1905-0302)

	<u>Full Value</u>	
Land	\$ 62,846	(From \$70,122)
Improvements	\$192,366	(No change)

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Council had before it the tax appeal of GULFMONT HOTEL. Councilman Bechtol moved that the value on the improvements of the Gulfmont Hotel be set as follows:

8th and Brazos, Lots 9 through 12 and South 1/2 feet of East 57.5'
Lot 8, Block 97, Original City (Parcel No. 2-0603-0914)

	<u>Full Value</u>	
Land	\$ 344,559	(No change)
Improvements	\$1,884,422	

The motion, seconded by Mayor Pro-tem Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

The Council had before it the tax appeal on the personal property of SHOPPERS' WORLD, Burnet Road and North Loop. Councilman Bechtol moved that the evaluation on Shoppers' World be left the same as set by the Tax Department and fixed by the Board:

	<u>Assessed Value</u>
Merchandise	<u>\$150,560</u>
Furniture &	
Fixtures	<u>\$ 28,570</u>
	<u>\$179,130</u> (No change)

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The Council had before it the tax appeal of the UNITED FEDERAL LIFE INSURANCE COMPANY on its taxable assets. Councilman Bechtol moved that the Assistant City Attorney, Mr. de Steiguer, be instructed to contact MR. GAYNOR KENDALL, Attorney for the Company, and tell them they have two weeks to present satisfactory evidence as to the value of the mortgage loan note. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The Council decided to meet at 1:00 P.M. at the City Hall, Saturday, November 19, 1960, and make personal inspections of the properties included in other tax appeals.

The Council discussed taking bids on a 100 MW Turbine Generator, and considered the specifications in detail. The City Manager stated that the bidders are well informed as to how the bids will be evaluated as to the manufacturer guarantee. Councilman White stated it would be necessary to take into consideration in the evaluation of bids, the \$150,000 spare parts on the 1000 KW machine just installed at the Holly Street Power Plant.

The City Manager recommended that since many inquiries or requests for interpretations would be made, and it would be necessary to have someone to make the interpretations, along with the work of evaluating the bids; that the consulting engineer who will do the design on the next unit should be appointed. He stated that action should be taken so that the engineer's name could be inserted on these bid specifications. After discussion of the need of this machine by 1964, as recommended in the Ebasco report, and by the City Manager, Councilman Bechtol moved that the City Manager be instructed to take bids on the 100 MW Turbine-Generator at 10:00 A.M., Thursday, December 15, 1960; and BROWN & ROOT be authorized to do the engineering on POWER PLANT NO. 2 at the most economical basis that can be obtained. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The City Manager made a report on the boiler insurance policy and a meeting with MR. JACK CHILDS, the Finance Director, and Councilman Bechtol. After a detailed explanation and discussion, Councilman Bechtol moved that the City Manager be authorized to rewrite the Boiler and Machine policy as recommended by Mr. Jack Childs. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller
 Not in Council Room when vote was taken: Councilman Perry

Councilman Bechtol moved to rent ten spaces at the Parking Lot to the AMERICAN STATESMAN on a pre-paid annual basis at 20% discount. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller
 Not in Council Room when vote was taken: Councilman Perry

Councilman Bechtol moved that \$5,000.00 maximum limit of expenditure at the Abattoir for the expansion of the boning room operation be authorized, subject to the operator's discontinuing the sale of individual cuts, and that another office building not be built at this time, but the temporary building now located there be continued to be used. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller
 Not in Council Room when vote was taken: Councilman Perry

The Assistant City Manager stated that MR. VINCE J. LaROCCA, Local Manager of the Concessions at the Auditorium was willing to enter into a contract for the concessions at 25%. There was the question of renting the present equipment or leasing it. It was suggested that he carry the 100-300,000 liability; that if the equipment is purchased, that it be paid for within a three year limit, and that no additional equipment be purchased by the City. Councilman Bechtol suggested that the Assistant City Manager check with Mr. LaRocca and report back.

The City Attorney submitted a request from MR. ROGAN GILES that the contract with Water District No. 8 be amended to allow it to sell water to the City of Manor. The City Manager explained that Manor was an old established town, that it was not a town created in the outskirts of the City for the purpose of enabling people to avoid city taxes; and it was so far removed from the city that the likelihood that Austin would ever move out and annex property around it, was extremely remote. After discussion, Councilman White moved that the City Manager be authorized to negotiate an amendment to the Contract with WATER CONTROL AND IMPROVEMENT DISTRICT NO. 8 so as to allow the district to sell water to the City of Manor. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Perry

The City Manager was asked to contact MR. GORDON, Missouri Pacific Railroad Company, and set a time to meet with him next week, regarding the details on the right-of-way for the Missouri Pacific Boulevard. After calling Mr. Gordon's office, the City Manager reported he would not be able to come down until the first of December, due to illness.

There being no further business, the Council adjourned at 6:30 P.M., subject to the call of the Mayor.

APPROVED

Leo E. Palmer
Mayor Pro-tem

ATTEST:

Elvis Hordley
City Clerk